

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**General Session**  
**July 11, 2008**  
**Boise, Idaho**

President White called the General Session of the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. Along with President White, in attendance for the meeting were Commissioners Thomas Banducci, Dwight Baker, Newal Squyres, Doug Mushlitz, incoming Commissioners Deborah Ferguson and Jim Meservy, Bar Counsel Brad Andrews, Deputy Executive Director Terri Muse, and Executive Director Diane Minnich, who acted as the secretary.

**MINUTES**

It was moved, seconded and passed to approve the minutes of the May 9, 2008 Board of Commissioners meeting as submitted.

**EXECUTIVE SESSION**

Per Idaho Code Section 67-2345, the Commission, after an aye vote was recorded from each Commissioner, moved into executive session at 12:40 p.m. The executive session adjourned at 2:40 p.m.

**FINANCIAL REPORT**

The Commission was provided with the May 31 and June 30 financial reports. As of June 30, 74.8% of revenue was collected and 31.29% of expenses incurred. Commissioner Squyres asked when it would be necessary to request a license fee increase. The executive director stated that most likely the request would need to be submitted to membership in 2009. She agreed to review the financial projections again and verify that this time frame is accurate. The Commission discussed the Client Assistance Fund limit on reimbursements and whether to consider changes in the cap on reimbursements.

**AUDIT REPORT**

Controller Debbie Dudley, Kevin Smith, and Eide Bailly, presented the 2007 audited financials.

**REQUESTS FOR TRANSFER TO ACTIVE STATUS**

**R.J. Twilegar** – The Commission discussed Mr. Twilegar's request to change his licensing status from affiliate to active status. Bar Counsel Andrews discussed the IBCR 304's inconsistency as it applies to affiliate members. The Commission discussed the applicable rules. After discussion, it was moved, seconded and passed to require Mr. Twilegar to either take the bar exam or take 30 hours of live CLE to include Domestic Violence training, Criminal Law, the Practical Skills Course in October, Prosecutors Boot Camp in August 2008 or January 2009 and the MPRE, with his license reinstated when he completes the requirements. The Commission requested that the staff prepare an amendment to the rule to clarify the language of Rules 304 and 305.

### **ABA DELEGATE REPORT**

Larry Hunter, ABA State Bar Delegate, joined the meeting at 9:45 a.m. to discuss relevant issues on the agenda for the ABA House of Delegates meeting in August. He discussed two issues with the Commission. The first would change an ABA accredited law schools' rules to allow credit for bar review courses, currently credit for these courses is prohibited. The second issue was a change in the model rules of professional conduct to allow for screening. Mr. Hunter stated he plans to vote in favor of both resolutions unless the Commission had concerns. The Commission determined that if the screening resolution passes, the Commission would prepare a resolution for submission to the resolution process. Mr. Hunter also reported that he has been appointed Chair of the ABA Standing Committee on Paralegals.

### **PRELITIGATION SCREENING HEARING PANELISTS**

The Commission considered a request from Board of Medicine Counsel, Jean Uranga, for them to appoint a new panelist from the Lewiston/Moscow area. Commissioner Mushlitz agreed to locate a candidate from Lewiston and/or Moscow.

### **ESTATE PLANNING SPECIALTY APPLICATION**

The Commission considered a request from the Estate Planning Specialists, Inc. to reinstate its approval as a certifier of specialists. It was moved, seconded and passed to approve the application of the Estate Planning Specialists, Inc. to become an entity approved to certify Idaho State Bar members as specialists in accordance with IBCR Section X.

### **2008-2009 COMMITTEE APPOINTMENTS**

The Commission considered recommendations for appointments to committees for 2008-09. It was moved, seconded and passed to approve the appointments as submitted. The executive director noted that there are still openings on the Advocate Editorial Advisory Board and for non lawyer members for Client Assistance Fund and PCB. President Baker and Commissioner Squyres both agreed to serve on the Judicial Independence Committee. The Commission also decided to add a Supreme Court liaison and administrative district judge liaison to the Judicial Independence Committee.

### **CONTESTED JUDICIAL ELECTION SURVEY**

The Commission further discussed the survey, Judicial Independence Committee and its role. The Commission agreed to include this issue on the September retreat agenda.

### **ISB LOGO REDESIGN**

The Commission reviewed two proposed new logos for the Idaho State Bar, and selected a combination of the two for a new ISB logo.

### **WEBSITE JOB ANNOUNCEMENTS POLICY**

The Commission was provided with a proposed job announcement policy for announcements on the ISB website. It was moved, seconded and passed to approve the policy as amended, which included removing the language restricting third party announcements and including the option of responding to an email address or a website.

### **FAMILY LAW SECTION – REQUEST TO AMEND BYLAWS**

The Commission was provided with a request from the Family Law Section to amend its bylaws. It was moved, seconded and passed to approve the request to amend the bylaws of the Family Law Section and stagger the terms of governing council members.

### **REQUEST TO ESTABLISH AN INTERNATIONAL LAW SECTION**

The Commission considered a proposal to establish an International Law Section. It was moved, seconded and passed to approve the establishment of an International Law Section of the Idaho State Bar.

### **FALL RETREAT**

The Commission discussed agenda items for the fall retreat and the possibility of hiring a consultant for Board development training. The executive director agreed to investigate the cost of hiring the board development consultant that spoke at the BLI.

### **ADMISSIONS RULES REVIEW COMMITTEE**

It was moved, seconded and passed to appoint the following members to the Admissions Rules Review Committee, which will review Section II of the Idaho Bar Commission Rules: Kay Christensen, Lane Erickson, Brad Andrews, Justice Burdick, and Carol McDonald; Diane Minnich will attend as necessary, and Deborah Ferguson will serve as the board liaison.

### **STAFFING STRUCTURE UPDATE**

The executive director provided the Commission with an overview of recent changes in staffing and structure for the bar and foundation. She explained the changes created fewer departments and reorganized some functions for more effective groups with similar programs and activities. In addition, she reported that Terri Muse is now the Deputy Executive Director.

### **2008 ANNUAL CONFERENCE**

The Commission was provided with the almost final schedule for the 2008 Annual Conference scheduled for October in Sun Valley. Terri Muse reviewed the schedule for the Annual Meeting. The Commission agreed to move the BOC meeting to Friday and try to limit the agenda items.

### **RESOLUTION MEETING SCHEDULE**

The Commission was provided with the 2008 resolution meeting and law school visit schedule. The Commission agreed to hold the BOC Meeting on November 21 in Idaho Falls.

### **PRACTICE SECTION UPDATE**

Terri Muse provided a summary of the section activities as of the end of June, 2008.

### **IDAHO SUPREME COURT ORAL CONFERENCE MINUTES**

The Commission was provided with the Supreme Court Oral Conference minutes for March and April, 2008 conferences.

**REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

The Commission was provided with the following: June 2, 2008 membership statistics – 5,068; May 2008 LRS Statistics, and Miscellaneous Letters/Info.

There being no further business, the General Session adjourned at 12:30 p.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director